Report Cites Improprieties By FBI Chief

1/20/93

By Sharon LaFraniere
Washington Post Staff Writer

Attorney General William P. Barr told FBI Director William S. Sessions last Friday that the evidence that he regularly abused FBI resources is "overwhelming" and inexcusable, according to a letter of reprimand released yesterday.

Barr, who resigned as attorney general only hours after reprimanding Sessions, based his conclusions on a 161-page report by the Justice Department's ethics office that alleges Sessions routinely elevated his personal desires or those of his wife Alice over bureau regulations or concerns.

According to the report by the Office of Professional Responsibility (OPR), also released yesterday, Sessions misused FBI aircraft, cars, personnel and funds. In addition, OPR found the FBI director took a phony tax exemption and refused to cooperate with an investigation into allegations that the terms

See SESSIONS, A12, Col. 3

SESSIONS, From A1

on his home mortgage represented a "sweetheart deal."

The probers attributed the infractions to Sessions's "very poor judgment," "disdain for FBI procedures" and unwillingness to keep his wife out of FBI business. "The Director permitted his wife to perform a role in bureau management and affairs that was entirely inappropriate," the report says.

The report was released to Sessions yesterday morning and made public in mid-afternoon. In a hastily prepared statement, Sessions said he was left with no time "to point out the numerous errors in fact and mistaken conclusions."

"This process has been conducted throughout without the barest elements of fairness, and marked by press leaks calculated to defame me," he said. "I have conducted myself in accordance with the law and with uncompromised ethical standards."

Whether OPR's findings and Barr's rebuke will cost the former federal judge his job remained uncertain yesterday. Sessions, who is midway through a 10-year term, has many friends in Congress and has vowed to fight to keep his post.

Deputy Director Floyd I. Clarke said that, while he had not yet read the report and could not comment on it, Sessions "deserves credit" for a number of FBI initiatives.

The OPR, whose findings were embraced fully by Barr, cited nine ethical violations, including Sessions's out-of-town travel. The report alleges Sessions bumped security agents off FBI planes, forcing them to fly commercially so his wife could accompany him at government expense. FBI aircraft were also diverted to pick up Alice Sessions in other cities, the report said.

Barr's letter said Sessions first planned holidays in San Francisco and other cities. Then, to

justify the government's expense, he "arranged isolated functions of trivial value, such as a breakfast meeting with a handful of local businessmen," Barr said.

Alice Sessions showed up uninvited at one official breakfast in San Francisco, and later told an FBI agent she had to attend so the government would cover the cost of the trip, according to Barr's letter.

OPR investigators cited the same pattern of abuse of FBI vehicles and security agents. FBI cars were employed to take Alice Sessions to get her nails done, to shop and to pick up firewood, the report said.

"The director uses the security detail more as an 'escort service' than for security," the report said.

By inviting unauthorized individuals to ride in his car—including two dancers from the Soviet Union—Sessions violated FBI regulations that cost many agents 30 days without pay, OPR found. One agent, for example, was disciplined for stopping on his way to work to pick up his son, whose car had broken down along the agent's route, the report said.

Barr's letter said he would consider it "petty" to criticize Sessions for "one or two lapses of judgment" in the use of FBI cars, planes or security personnel, but said he could not countenance "a clear pattern of your taking advantage of the government."

Sessions, in his statement, said the bureau's legal officer, Joseph Davis, reviewed every out-of-town trip in advance, although OPR said Davis did not have enough information to say whether the trips were personal or official. Sessions said administrative employees reviewed his travel vouchers after trips.

"I have always followed, and never tried to thwart, the bureau's procedures for air travel," he said.

Sessions's use of FBI funds to pay for a privacy fence around his home illustrates how willing he is to override even the No. 2 FBI official to accommodate his wife, the report said. Although Alice Sessions wanted a wooden privacy fence, Clarke agreed with other top FBI officials that only an iron picket fence would improve security and constitute a legitimate FBI expense.

At a FBI meeting to resolve the fence dispute, Sessions walked out, leaving Clarke and other top bureau officials to carry on the discussion with his wife, the report said. Over the objections of the bureau's top management, the FBI eventually erected and paid for a $10,000 fence that only impaired the quality of Sessions' security, according to the report.

One FBI official, unbeknownst to Sessions, created a false procurement file showing that the FBI had solicited three bids for the fence. A probe of that official is continuing, the report said.

Sessions, whom Barr ordered to pay for the fence, said its purchase "was reviewed and approved through appropriate FBI procedures."

The FBI director ignored warnings from the bureau's legal officer in order to claim an improper tax exemption for the benefit of limousine service to and from work, the report said. Joseph Davis advised Sessions that he could avoid paying taxes on the value of that benefit if he were trained in using a gun and kept it readily accessible in his armor-plated vehicle, as would an officer in a police car.

But Sessions never learned to use the weapon and kept it without ammunition in a locked briefcase in the car's trunk, the report said. Barr called that "a sham arrangement" that "does not even pass the red-face test," adding, "You must have known you did not qualify for the law-enforcement [tax] exemption."

Sessions's statement said, "If it is true the exemption was not warranted, then I will, of course, pay the taxes."